

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Case No.
12-CR-20077

vs.

HON. MARK A. GOLDSMITH

MARK D. REYNOLDS, II,

Defendant.

**ORDER DISMISSING FOR LACK OF JURISDICTION DEFENDANT'S PETITION
SEEKING CREDIT FOR TIME SERVED**

Proceeding pro se, Defendant Mark A. Reynolds has filed a motion seeking approximately 286 days credit for time served. Defendant's motion is governed by 18 U.S.C. § 3585(b), which provides that federal prisoners are entitled to credit against their federal sentence for any time served "prior to the date the sentence commences" if that time "has not been credited against another sentence."

"[T]he power to grant credit for time served lies solely with the Attorney General and the Bureau of Prisons," United States v. Crozier, 259 F.3d 503, 520 (6th Cir. 2001), and district courts have authority to review the matter only after administrative remedies are exhausted. United States v. Wilson, 503 U.S. 329, 333 (1992); see also United States v. Lewis, 966 F.2d 1455 (Table), 1992 WL 137129 (6th Cir. June 17, 1992). As the Government correctly points out, the record in the present case does not reflect that Defendant has exhausted his administrative remedies with the Attorney General; therefore, the Court lacks jurisdiction over the motion and dismisses it for that reason.

SO ORDERED.

Dated: July 30, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on July 30, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager